



# **Department of Justice**

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**STATEMENT OF**

**ALBERTO R. GONZALES  
ATTORNEY GENERAL**

**BEFORE THE**

**COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE**

**CONCERNING**

**OVERSIGHT OF THE DEPARTMENT OF JUSTICE**

**PRESENTED**

**APRIL 17, 2007**

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Good morning Chairman Leahy, Ranking Member Specter, and Members of the Committee.

Thank you for the opportunity to appear here today to discuss some of the important work currently underway at the Department of Justice. I would like to share some of the Department's recent accomplishments and outline the priorities of the Department in the coming months. I also would like to address any concerns the Committee may have regarding the Department's varied responsibilities. I welcome the chance to enhance the dialogue between these two Branches of government.

**Resignations of U.S. Attorneys**

First, I will address the issue of the resignations of eight of 93 U.S. Attorneys. I know this is an issue of concern to the Committee, and I want you to know that I share your commitment to bringing all of the facts to light on this matter. I hope we can make great progress on that goal today.

I also want the Committee and those U.S. Attorneys to know how much I appreciate their public service. Each is a fine lawyer and dedicated professional who gave many years of service to the Department. I apologize to them and to their families for allowing this matter to become an unfortunate and undignified public spectacle, and I am sorry for my missteps that have helped to fuel the controversy.

The Justice Department has tried to be forthcoming with the Congress and the American people about the process that led to the resignations. The Department has provided thousands of pages of internal and deliberative documents to the Congress. I consistently and voluntarily have made Justice Department officials available for interviews and hearings on this subject.

I have taken these important steps to provide information for two critical reasons: (1) I have nothing to hide, and (2) I am committed to assuring the Congress and the American public that nothing improper occurred here. The sooner that all the facts are known, the sooner we can all devote our exclusive attention to our important work –

work that includes protecting the American people from the dangers of terrorism, violent crime, illegal drugs, and sexual predators. I know that the Committee must be eager to focus on those issues of great importance to the American people as well.

At this point, we can all agree that U.S. Attorneys serve at the pleasure of the President. We further should agree on a definition of what an “improper” reason for the removal of a U.S. Attorney would be. As former Acting Solicitor General and Assistant Attorney General Walter Dellinger has stated, an improper reason would be: “The replacement of one or more U.S. attorneys in order to impede or speed along particular criminal investigations for illegitimate reasons.”<sup>1</sup>

I agree with that. Stated differently, the Department of Justice makes decisions based on the evidence, not whether the target is a Republican or a Democrat.

For the benefit of the Committee as well as for the American people, I would like to be abundantly clear about the decision to request the resignations of eight (of the 93) United States Attorneys – each of whom had served his or her full four-year term of office:

I know that I did not, and would not, ask for a resignation of any individual in order to interfere with or influence a particular prosecution for partisan political gain.

I also have no basis to believe that anyone involved in this process sought the removal of a U.S. Attorney for an improper reason.

These facts have been made clear through the testimony of Justice Department officials who have appeared before the Congress, as well as by the thousands of pages of internal documents that the Department of Justice has released. Based upon the record as I know it, it is unfair and unfounded for anyone to conclude that any U.S. Attorney was removed for an improper reason. Our record in bringing aggressive prosecutions without fear or favor and irrespective of political affiliations – a record I am very proud of – is beyond reproach.

While reasonable people may dispute whether or not the actual reasons for these decisions were sufficient to justify a particular resignation, again, there is no factual basis to support the allegation, as many have made, that these resignations were motivated by improper reasons. As this Committee knows, however, to provide more certainty, I have asked the Justice Department’s Office of Professional Responsibility (OPR) to investigate this matter. Working with the Department’s Office of Inspector General (OIG), these non-partisan professionals will complete their own independent investigation so that the Congress and the American people can be 100 percent assured of the facts.

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<sup>1</sup> “What Congress Gets to Know,” by Walter Dellinger and Christopher H. Schroeder, *Slate*, Monday, March 26, 2007.

The Committee should also know that, to ensure the independence and integrity of these investigations, and the investigations of congressional committees, I have not spoken with nor reviewed the confidential transcripts of any of the Department of Justice employees interviewed by congressional staff. I state this because, as a result, I may be somewhat limited when it comes to providing you with all of the facts that you may desire. I hope you understand that, to me, it was absolutely essential that the investigative work proceeds in a manner free of any complications by my efforts to prepare for this testimony.

While I firmly believe that these dismissals were appropriate, I have equal conviction that the process by which these U.S. Attorneys were asked to resign could have – and should have – been handled differently.

I made mistakes in not ensuring that these U.S. Attorneys received more dignified treatment. Others within the Department of Justice also made mistakes. As far as I know, these were honest mistakes of perception and judgment and not intentional acts of misconduct. The American public needs to know of the good faith and dedication of those who serve them at the Department of Justice.

As I have stated before, I want to be as crisp and clear as I can be with the Committee about the facts of my involvement in this matter as I recall them.

### *The Coordination Process*

Shortly after the 2004 election and soon after I became Attorney General, my then-deputy-chief-of-staff Kyle Sampson told me that then-Counsel to the President Harriet Miers had inquired about replacing all 93 U.S. Attorneys. Mr. Sampson and I both agreed that replacing all 93 U.S. Attorneys would be disruptive and unwise. However, I believed it would be appropriate and a good management decision to evaluate the U.S. Attorneys and determine the districts where a change may be beneficial to the Department.

I delegated the task of coordinating a review to Mr. Sampson in early 2005. Mr. Sampson is a good man and was a dedicated public servant. I believed that he was the right person (1) to collect insight and opinions, including his own, from Department officials with the most knowledge of U.S. Attorneys and (2) to provide, based on that collective judgment, a consensus recommendation of the Department's senior leadership on districts that could benefit from a change.

I recall telling Mr. Sampson that I wanted him to consult with appropriate Justice Department senior officials who would have the most relevant knowledge and information about the performance of the U.S. Attorneys. It was to be a group of officials, including the Deputy Attorney General, who were much more knowledgeable than I about the performance of each U.S. Attorney. I also told him to make sure that the White House was kept informed since the U.S. Attorneys are presidential appointees.

Mr. Sampson periodically updated me on the review. As I recall, his updates were brief, relatively few in number, and focused primarily on the review process itself. During those updates, to my knowledge, I did not make decisions about who should or should not be asked to resign.

For instance, I recall two specific instances when Mr. Sampson mentioned to me that Harriet Miers had asked about the status of the Department's evaluation of U.S. Attorneys.

I also recall Mr. Sampson mentioning Assistant Attorney General Rachel Brand as a possible candidate to be U.S. Attorney if a vacancy were to occur. I am not sure he mentioned a specific district, but it may have been Michigan. I do not recall my response, nor when it happened. But I do recall thinking I did not want to lose Ms. Brand as head of Legal Policy. I also recall Mr. Sampson mentioning career prosecutor Deborah Rhodes for San Diego in the event of a vacancy. I do not recall my response or any other discussion. Nor do I recall the timing of when this was raised with me. Although these names were mentioned to me, I do not recall making any decision, either on or before December 7, 2006, about who should replace the U.S. Attorneys who were asked to resign that day.

Near the end of the process, as I have said many times, Kyle Sampson presented me with the final recommendations, which I approved. I did so because I understood that the recommendations represented the consensus of senior Justice Department officials most knowledgeable about the performance of all 93 U.S. Attorneys. I also remember that, at some point in time, Mr. Sampson explained to me the plan to inform the U.S. Attorneys of my decision.

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I believed the process that Mr. Sampson was coordinating would produce the best result by including those senior Justice Department officials with the most knowledge about this matter. As in other areas of the Department's work – whether creating a plan to combat terrorism or targeting dangerous drugs like methamphetamine – my goal was to improve the performance of the Justice Department. And as in other areas of the Department's work, I expected a process to be established that would lead to recommendations based on the collective judgment and opinions of those with the most knowledge within the Department.

In hindsight, I would have handled this differently. As a manager, I am aware that decisions involving personnel are some of the most difficult and challenging decisions one can make. United States Attorneys serve at the pleasure of the President, but looking back, it is clear to me that I should have done more personally to ensure that the review process was more rigorous, and that each U.S. Attorney was informed of this decision in a more personal and respectful way.

I also want to address suggestions that I intentionally made false statements about my involvement in this process. These suggestions have been personally very painful to me. I have always sought the truth. I never sought to mislead or deceive the Congress or the American people about my role in this matter. I do acknowledge however that at times I have been less than precise with my words when discussing the resignations.

For example, I misspoke at a press conference on March 13th when I said that I “was not involved in any discussions about what was going on.” That statement was too broad. At that same press conference, I made clear that I was aware of the process; I said that “I knew my chief of staff was involved in the process of determining who were the weak performers. Where were the districts around the country where we could do better for the people in that district, and that’s what I knew.” Of course, I knew about the process because of, at a minimum, these discussions with Mr. Sampson. Thus, my statement about “discussions” was imprecise and overbroad, but it certainly was not in anyway an attempt to mislead the American people.

I certainly understand why these statements generated confusion, and I regret that. I have tried to clarify my words in later interviews with the media, and will be happy to answer any further questions the Committee may have today about those statements.

It is said that actions speak louder than words. And my actions in this matter do indeed show that I have endeavored to be forthcoming with the Congress and the American people.

I am dedicated to correcting both the management missteps and the ensuing public confusion that now surrounds what should have been a benign situation. For example:

In recent weeks I have met personally with more than 70 U.S. Attorneys around the country to hear their concerns and discuss ways to improve communication and coordination between their offices and Main Justice.

These discussions have been frank, and good ideas are coming out, including ways to improve communication between the Department and their offices so that every United States Attorney can know whether their performance is at the level expected by the Attorney General and the Deputy Attorney General. Additionally, I have asked the members of the Attorney General’s Advisory Committee of United States Attorneys to present to me recommendations on formal and informal steps that we can take to improve communication.

During these meetings I am also sharing with the U.S. Attorney community several key messages that I wish to also share with the Committee:

First, the process of selecting U.S. Attorneys to be asked to resign, while not improper, should have been more rigorous and should have been completed in a much shorter period of time.

Second, every U.S. Attorney who was asked to resign – Dan Bogden, Margaret Chiara, Paul Charlton, David Iglesias, Carol Lam, John McKay, Kevin Ryan, and Bud Cummins – served honorably, and they and their families made sacrifices in the name of public service. The Justice Department owes them more respect than they were shown. In some cases, Department leaders should have worked with them to make improvements where they were needed. In all cases, I should have communicated the concerns more effectively, and I should have informed them of my decisions in a more dignified manner. This process could have been handled much better and for that I want to apologize publicly.

And third, I am also telling our 93 U.S. Attorneys that I look forward to working with them to pursue the great goals of our Department in the weeks and months to come. I have told them that I expected all of them to continue to do their jobs in the way they deem best and without any improper interference from anyone. Likewise, in those offices where U.S. Attorneys have recently departed, I emphasized the need to continue to aggressively investigate and prosecute all matters – sensitive or otherwise – currently being handled by those offices.

I wish to extend that sentiment to the Committee as well. During the past two years, we have made great strides in securing our country from terrorism, protecting our neighborhoods from gangs and drugs, shielding our children from predators and pedophiles, and protecting the public trust by prosecuting public corruption. Recent events must not deter us from our mission. I ask the Committee to join me in that commitment and that re-dedication.

We must ensure that all the facts surrounding the situation are brought to full light. It is my sincere hope that today's hearing brings us closer to a clearing of the air on the eight resignations.

That is why I intend to stay here as long as it takes to answer all of the questions the Committee may have about my involvement in this matter. I want this Committee to be satisfied, to be fully reassured, that nothing improper was done. I want the American people to be reassured of the same.

### **National Security**

As you well know, since the terror attacks of September 11, 2001, the Department's top priority has been to protect the Nation from the threat of terrorism. We are proud of our efforts to secure the Nation and are reaping the benefits of the momentous changes to the counterterrorism and counterintelligence programs we instituted during the last year with your support.

## *National Security Division*

First, I want to discuss the important role that the new National Security Division (NSD) has played in the six months since it was established. NSD's goal is to synchronize the Department's counterterrorism and counterespionage prosecutions and its intelligence and criminal national security programs, including its intelligence-related searches and surveillance. When we first created NSD, I directed the new Assistant Attorney General for National Security, Ken Wainstein, to build upon the oversight capacity within the Division to ensure that the Department's national security investigations are conducted efficiently and in an appropriate manner, with due regard for the civil rights and liberties of all Americans. The Department's Office of Intelligence Policy and Review, now a part of the NSD, has long played an important oversight role. As I will discuss shortly, we are enhancing that oversight capacity this month, as the Department begins a new effort to closely examine the use of National Security Letters and other national security authorities by the Federal Bureau of Investigation (FBI).

I also want to note that the agents at the FBI, working closely with our prosecutors in the National Security Division and in United States Attorney's Offices across the Nation, have been working tirelessly to pursue terrorists and their supporters and to bring them to justice. In just the past few months, we have announced noteworthy arrests and prosecutions such as those of Hassan Abujihaad, a former United States Navy seaman accused of providing information on United States naval battle group movements to terrorist supporters, and Daniel Maldonado, accused of fighting alongside extremist Islamic fighters in Somalia. We also have announced guilty pleas from individuals such as Tarik Shah, a former marital arts instructor from the Bronx who pleaded guilty to conspiring to support al Qaeda. Further, following a joint U.S. Immigration and Customs Enforcement (ICE) and Department of Commerce investigation, corporations such as Chiquita Brands, which made sizeable illegal payments to a terrorist organization, have learned that they are not immune from criminal prosecution. In addition, we have made significant strides in protecting classified information and preventing sensitive technology from being sent overseas. For example, following a joint ICE and Defense Criminal Investigative Service investigation, ITT Corporation recently pleaded guilty to violating the Arms Export Control Act and agreed to pay a \$100 million in criminal fines and other penalties.

In order to continue to move forward on these efforts in FY 2008, we are requesting \$6.6 million to fund critical NSD enhancements, including additional funding for crisis management preparation and policy development, and legal analysis and coordination. In addition, the FY 2008 budget includes resources to expand the FBI's national security initiatives, including \$217 million to advance the FBI's counterterrorism and intelligence collection and analysis programs and to upgrade its information sharing tools that improve homeland security cohesion and efficiency. The FY 2008 budget provides approximately \$12 million for the Drug Enforcement Administration's Office of National Security Intelligence (ONSI). ONSI was designated in February 2006 as a member of the Intelligence Community, in recognition of the contributions that the DEA makes to national and homeland security. ONSI facilitates full and appropriate



intelligence coordination and information sharing with other members of the Intelligence Community and with homeland security elements to enhance our Nation's efforts to reduce the supply of drugs, protect our national security, and combat global terrorism.

In addition to continuing to fund these important efforts, I believe it is also important that we continue to work together to modernize our national security laws. In particular, it is crucial that we work to update the Foreign Intelligence Surveillance Act (FISA). Sweeping and unanticipated advances in telecommunications technology since 1978 have upset the delicate balance that the Congress originally struck when it enacted FISA. As a result, FISA now imposes a regime of court approval on a wide range of intelligence activities that do not substantially implicate the privacy interests of Americans. This unintended expansion of FISA's scope has hampered our intelligence capabilities, and has resulted in the diversion of scarce Judicial and Executive Branch resources that could be better spent safeguarding the liberties of U.S. persons. I look forward to working with the Congress to modernize FISA to confront the very different technologies and threats of the 21<sup>st</sup> Century.

#### *National Security Letters*

I also want to take some time today to let you know that we are addressing an issue of great concern to me. About a year ago, the Congress reaffirmed the importance of critical law enforcement and intelligence tools – such as National Security Letters (NSLs) –when it passed the USA PATRIOT Improvement and Reauthorization Act. While NSLs have enhanced America's ability to detect and avert terrorist attacks, there have been instances in which their use has been unacceptable. I appreciate the Inspector General's important work identifying these shortcomings. Failure to properly use a critical authority such as NSLs can threaten to undermine the civil liberties of American citizens and erode public support for these vital antiterrorism measures. I want to assure you and the American people that I am dedicated to remedying these deficiencies and again pledge my commitment to protecting Americans from terrorist attacks while protecting the liberties that define us.

At my direction, and with the support of the FBI Director, the Department of Justice, including the FBI, has moved aggressively to address the issues raised by the Inspector General's report. Let me briefly highlight some of the steps that the Department is taking in this regard. First, I have ordered NSD and the Department's Chief Privacy and Civil Liberties Officer to work closely with the FBI to take corrective actions, including implementing all of the recommendations made by the Inspector General, and to report directly to me on a regular basis and advise me whether any additional actions or efforts need to be taken. I also have asked the Inspector General to report back to me in June on the FBI's implementation of his recommendations.

Second, the FBI Director recently ordered a one-time, retrospective audit of the use of NSLs. While the Inspector General's audit covered a sample of four FBI field offices, the FBI-led effort will examine the use of NSLs in all 56 field offices nationwide. We expect results to be forthcoming soon and will brief the Congress on our findings. To

follow up on this one-time audit, at my direction, NSD will begin regular NSL audits this month, working in conjunction with the Department's Privacy Office and the FBI. We expect these reviews to be conducted in 15 field offices and FBI headquarters components over the next year. These regular audits represent a substantial new level and type of oversight of national security investigations by career Justice Department lawyers with years of intelligence and law enforcement experience. As I noted earlier, when NSD was formed, I ordered the creation of an enhanced oversight capability within the division to evaluate FBI national security investigations and to ensure their compliance with applicable legal requirements and guidelines. The audits beginning this month are one component of this new focus of the division.

The FBI also issued a Bureau-wide directive prohibiting the use of the type of "exigent letters" described in the Inspector General's report. The FBI Director has also ordered the FBI Inspection Division to conduct an expedited review of the Headquarters unit that issued these letters, in order to assess management responsibility for this problem.

The FBI is also working to improve the accuracy of the reporting of NSL statistics to the Congress. The FBI began developing a new NSL tracking database last year and plans to deploy the system this year. Until this new system is fully deployed, FBI field offices will conduct hand counts of NSLs. The FBI also has sampled a much larger number of entries than the Inspector General examined in order to attempt to better quantify the error rate of prior numbers reported to the Congress. Once this process is complete, the FBI will work with the Department and the Inspector General to determine the best course of action.

These steps, among many others that the Department is taking in response to the Inspector General's report, embody a recognition of the fact that while the authorities that the Congress has provided are critical to fighting the War on Terror, we must constantly work to ensure that we protect the precious liberties and rights that are vital to our way of life. This report tells me very clearly that we must do better, and I am personally committed to this effort.

We all recognize that we cannot afford to make progress in the War on Terror at the cost of eroding our bedrock civil liberties. Our Nation is, and always will be, dedicated to liberty for all, a value that we cannot and will not sacrifice, even in the name of winning this war. I will not accept failures in this regard. I look forward to working closely with the members of this Committee to address these important issues.

### **Protection of Children**

As you know, protecting children against sexual predators is a key priority of my tenure. I am proud of the Department's efforts to combat these terrible crimes against children, and I appreciate the work of this Committee in safeguarding our children's innocence, including its support for the Adam Walsh Act, which included statutory

authorization for the Department's Project Safe Childhood. The Department has moved forward aggressively to implement key reforms of the Adam Walsh Act.

### *The Adam Walsh Act*

The Adam Walsh Act adopted a comprehensive new set of national standards for sex offender registration and notification and directed the Department to issue guidelines and regulations to interpret and implement these requirements. As an initial matter, I issued an interim regulation on February 28, 2007, clarifying that the strengthened Adam Walsh Act registration requirements apply to all sex offenders, including those convicted prior to the enactment of the Act. The Adam Walsh Act created the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking ("SMART Office") in the Department's Office of Justice Programs, to administer these requirements. Last winter President Bush appointed Laura L. Rogers, a career prosecutor from California, to head the SMART Office. She is developing detailed guidelines to assist the States, territories, and Indian tribes in incorporating the Adam Walsh Act standards in their sex offender registration and notification programs. Extensive input has been obtained from interested government officials and others for this purpose, and publication of the guidelines for public comment will be forthcoming in the next few months.

In addition to strengthening the substantive standards for sex offender registration and notification, the Adam Walsh Act provides for increased Federal assistance to States and other jurisdictions in enforcing registration requirements and protecting the public from sex offenders. The Act directs the Department to use the resources of Federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who fail to register as required. As an initial step in this initiative, the Marshals Service, working with its State and local law enforcement partners, apprehended 1,659 sex offenders as part of the FALCON III fugitive roundup in October. The Marshals Service has developed plans to strengthen its national coordination and leadership function in sex offender apprehension under the Adam Walsh Act. The President's budget request for FY 2008 includes substantial funding for this purpose, proposing \$7.8 million for the Marshals Service's aggressive pursuit of sexual predators under the Adam Walsh Act's provisions.

The Adam Walsh Act also created an enhanced direct avenue for Federal enforcement of sex offender registration requirements. Under new section 2250 of title 18, sex offenders who knowingly violate the Adam Walsh Act registration requirements under circumstances supporting Federal jurisdiction, such as failure to register following relocation from one State to another, can be imprisoned for up to 10 years. The Department's Criminal Division and the United States Attorneys' Offices have developed policy and guidance for prosecutions under the new Federal failure to register offense and are moving forward aggressively in bringing Federal prosecutions in appropriate cases. Since Section 2250 was enacted, Marshals Service investigations have resulted in the issuance of 84 arrest warrants for fugitives in violation of the law. Marshals and other law enforcement officials have been able to arrest 66 of those fugitives.

Beyond the measures I have described relating to sex offender tracking, notification, investigation, apprehension, and prosecution, the Adam Walsh Act enacted important reforms affecting the correctional treatment of sex offenders. For example, the Act adopted new provisions for civil commitment of persons found to be sexually dangerous and subject to Federal jurisdiction. This means that court-ordered civil commitment can now be sought for a sex offender in the custody of the Bureau of Prisons, where it can be shown that his condition would make it seriously difficult for him to refrain from further acts of molestation if released. Pursuant to the Adam Walsh Act commitment provisions, the Bureau of Prisons has 30 inmates certified as sexually dangerous persons (not limited to those incarcerated for sex offenses) and the responsible United States Attorneys' Offices are now engaged in litigation to secure the judicial commitment of these individuals as authorized by the Adam Walsh Act. The Bureau of Prisons is institutionalizing the screening and certification of inmates who satisfy the statutory criteria as sexually dangerous persons, and civil commitment of such persons for the protection of the public and for their care and treatment will be sought in all appropriate cases.

The Adam Walsh Act further authorizes the expansion of the Bureau of Prisons' sex offender management and treatment efforts. The President's budget request for FY 2008 includes \$5 million for the Bureau of Prisons to add treatment programs at six locations. This supports the Bureau of Prisons' objective to design, implement, and evaluate a comprehensive sex offender management program across all prison security levels. This program will address the security issues raised by a growing sex offender inmate population, and the need to reduce recidivism among such offenders following their release.

### *Project Safe Childhood*

The Internet is one of the greatest technological advances of our time, but it also makes it alarmingly easy for sexual predators to find and contact children, as well as trade, collect, and even produce images of child sexual exploitation.

The problem is great, but we have stepped up to the challenge. Through Project Safe Childhood (PSC), which is the backbone of the Department's efforts to combat child exploitation, we have begun to marshal our collective resources and raise online exploitation and abuse of children as a matter of public concern. We have sought to do this both through enhanced coordination of our law enforcement efforts, especially with the Internet Crimes Against Children task forces and our other State and local partners, and through cooperation with our non-governmental partners like the National Center for Missing and Exploited Children (NCMEC) to do effective outreach to parents and children about how to stay safe online.

Since I testified last, the Department has undertaken two important steps to reduce the incidence of child sexual exploitation and abuse facilitated by the Internet, and these steps have begun to show results for our enhanced law enforcement efforts.

The U.S. Department of Justice together with NCMEC and the Ad Council announced a new phase of their Online Sexual Exploitation public service advertising campaign, "*Think Before You Post*," designed to educate teenage girls about the potential dangers of posting and sharing personal information online.

Popular social networking sites such as MySpace, Facebook, and Sconex make it easier for children and teens to post and share personal information, pictures, and videos, which may make them more vulnerable to online predators. Girls are particularly at risk of online sexual exploitation—a recent study by University of New Hampshire researchers for NCMEC found that, of the approximately one in seven youths who received a sexual solicitation or approach over the Internet, 70 percent were girls.

The *Think Before You Post* campaign sends a strong reminder to children and their parents to be cautious when posting personal information online because, "[a]nything you post, anyone can see: family, friends, and even not-so-friendly people." The public service announcements were distributed to media outlets throughout the country, and can also be viewed at the Department's website [www.usdoj.gov](http://www.usdoj.gov).

Coordination of our law enforcement efforts through our 93 U.S. Attorneys will also be advanced by the recent launch of the PSC Team Training program, involving teams from five judicial districts, which I kicked off at NCMEC's headquarters in February. The training program will create a platform from which Federal, State, and local law enforcement agencies and non-governmental organizations can effectively work together across State and even national borders. The next training session will be held in Miami in May, bringing together teams from five additional districts. We hope to reach every district by the end of 2008 through a series of regional training sessions.

The Department's enhanced law enforcement efforts have begun to show results. In the first quarter of the fiscal year, the Internet Crimes Against Children task forces increased the number of arrests for online child exploitation and abuse to 527, an increase of 22 percent over the same period in FY 2006. Likewise, the U.S. Attorneys have increased the number of cases filed. In the first five months of FY 2007, 761 cases have been filed. If this pace continues, it will result in as many as 1,826 cases for the fiscal year, a 13 percent increase over FY 2006. Moreover, we are working on the investigative side to support continuing progress in this area. In the first quarter of FY 2007, the FBI opened 555 investigations of online child exploitation cases, both child pornography and cyber-enticement, as compared to 438 investigations opened in the first quarter for FY 2006. Through these investigations and prosecutions our goal is to stop those who prey on our children, and also to deliver a general message of deterrence: when you target kids, we will target you.

We have the power to change the battlefield, and the victory of safe childhoods will be our legacy. I look forward to continued work with this Committee on this issue that I care deeply about.

## **Violent Crime**

Due in large part to the hard work of law enforcement, the Nation's crime rates remain near historic lows. The Administration has funded numerous initiatives to give Federal, State, and local prosecutors and law enforcement the tools needed to reduce violent crime, particularly gang- and firearm-related crime. Federal prosecutors continue to focus resources on the most serious violent offenders, taking them off the streets and putting them behind bars where they cannot re-offend.

### *Initiative for Safer Communities*

Where localized increases in crime are being experienced, the Department is responding appropriately, working with our State and local partners to identify the problem and develop meaningful strategies to reduce and deter that crime. To that end, Department officials met with local law enforcement and community leaders from 18 jurisdictions across the country to investigate the factors contributing to the increase or decrease in violent crime in those jurisdictions. No one cause was reported as causing local spikes in crime; the problems varied by city and region.

To address these regional and localized crime challenges, the President's FY 2008 budget requests \$200 million for the Violent Crime Partnership Initiative. The initiative will assist in responding to high rates of violent crime, including gang, drug, and gun violence, by forming and developing effective multi-jurisdictional law enforcement partnerships between Federal, State, local, and tribal law enforcement agencies. Through these multi-jurisdictional partnerships, we will disrupt criminal gang, firearm, and drug activities, particularly those with a multi-jurisdictional dimension.

### *Project Safe Neighborhoods*

The Initiative for Safer Communities is a supplement to the existing Department-led programs aimed at reducing violent crime, such as the Project Safe Neighborhoods (PSN) initiative. PSN programs, led by the United States Attorney in each Federal judicial district, link Federal, State, and local law enforcement officials, prosecutors, and community leaders to implement a multi-faceted strategy to deter and punish gun criminals. In the past six years, as a result of PSN, the number of Federal firearms prosecutions is more than double the number of prosecutions brought during the six years prior to PSN's implementation.

With the support of the Congress, the Department has dedicated more than \$1.5 billion to this important program. Those funds have provided necessary training, hired agents and prosecutors, and supported State and local partners working to combat gun crime. For 2008, the President's budget requests more than \$400 million for PSN, including a \$2.2 million enhancement to the Bureau of Alcohol, Tobacco, Firearms and Explosives to support increased anti-gang and firearms enforcement efforts, as well as a \$6.3 million enhancement to establish firearms trafficking teams devoted to pursuing

trafficking investigations along the Southwest Border and in areas of the country identified as concentrated firearms trafficking corridors.

### *Gangs*

The Department is also applying the PSN model of collaboration to address the danger that violent gangs pose to our neighborhoods. The Department has developed a comprehensive strategy to combat gang violence that involves the coordination of enforcement and prevention resources to target the gangs who terrorize our communities. The Department's Anti-Gang Coordination Committee continues to organize the Department's wide-ranging efforts to combat the scourge of gangs, and the Anti-Gang Coordinators in each United States Attorney's Office continue to provide leadership and focus to our anti-gang efforts at the district level.

Last year, the Department expanded the successful Project Safe Neighborhoods initiative to include new and enhanced anti-gang efforts, and launched the Comprehensive Anti-Gang Initiative, which focuses anti-gang resources on prevention, enforcement, and offender reentry efforts in six sites throughout the country: Los Angeles, Tampa, Cleveland, Dallas/Ft. Worth, Milwaukee, and the "222 Corridor," which stretches from Easton to Lancaster in Pennsylvania.

The Department also created a new national Gang Targeting, Enforcement, and Coordination Center (GangTECC) this past year. GangTECC brings together all of the operational components of the Department, as well as other agencies within the Federal government to coordinate overlapping investigations and ensure that tactical and strategic intelligence is shared among law enforcement agencies. GangTECC works hand-in-hand with the new National Gang Intelligence Center, and the Criminal Division's Gang Squad. The President's FY 2008 budget requests resources to further support these anti-gang efforts.

While we have made significant enhancements to our anti-gang efforts at the national level, the Department understands that the lion's share of the work happens at the local and district level. On the prevention side, in accordance with my directive, each U.S. Attorney has convened a Gang Prevention Summit in his or her district to explore additional opportunities in the area of gang prevention. And on the enforcement side, to support the increased focus on anti-gang prosecutions at the Federal level, the President's FY 2008 budget requests an enhancement of \$4.1 million for additional anti-gang Federal prosecutors.

Finally, as you know, the Department has worked closely with this Committee as well as the House Judiciary Committee to develop legislation to enhance the tools available to Federal law enforcement in its ongoing efforts to disrupt and dismantle gangs.

## **Drug Enforcement**

The Department continues to devote substantial investigative and prosecutorial resources to addressing the problem of drug trafficking. In FY 2006, drug cases represented more than 25 percent of all cases filed by our U.S. Attorneys and 35 percent of Federal defendants.

The vast majority of illegal drugs sold in the United States are supplied by drug trafficking organizations (DTOs). The Department continues to believe that utilizing intelligence to target the highest priority DTOs and those entities and individuals linked to the DTOs, using the Drug Enforcement Administration (DEA) and the Organized Crime and Drug Enforcement Task Force program, is the most effective approach to fighting the global drug trade and its attendant threats. It is within this strategic framework that the Department generally organizes its efforts to reduce the supply of illegal drugs. These efforts combine the expertise of multiple Federal agencies with international, State, and local partners, to mount a comprehensive attack on major drug organizations and the financial infrastructures that support them. This approach has been successful. Just this past fall, the most significant drug traffickers ever to face justice in the United States – Miguel and Alberto Rodriguez-Orejuela – pleaded guilty in a Federal court in Miami to a charge of conspiracy to import cocaine into the United States.

The Department recognizes that the Southwest Border remains a critical front in our Nation's defense against both illegal drug trafficking and terrorism. Because a significant amount of drugs that enters the U.S. is trafficked by DTOs based in Mexico, the Department has been working closely with the Government of Mexico, including in joint cooperative efforts by law enforcement. In addition, the Department is continuing discussions with the Government of Mexico regarding extraditions of major drug traffickers.

In addition to its continued efforts on drug trafficking organizations, over the past several years the Department has placed a special emphasis on reducing the demand for, and supply of, methamphetamine and controlled substance prescription drugs.

In support of the Administration's plan to combat methamphetamine, the Department established the Anti-Methamphetamine Coordination Committee to oversee the ongoing implementation of initiatives and to ensure the most effective coordination of its anti-methamphetamine efforts. The Department is enhancing the anti-methamphetamine trafficking and intelligence capabilities of law enforcement; assisting tribal, State, and local authorities with training, cleanup, and enforcement initiatives; and providing grants to State drug court programs that assist methamphetamine abusers. On the international front, the Department is working to cut off the illicit supply of precursor chemicals by working with our international partners.

The United States Government has established a strong partnership with Mexico to combat methamphetamine. In May 2005, the Attorney General of Mexico and I announced several anti-methamphetamine initiatives designed to address improved



enforcement, increased law enforcement training, improved information sharing, and increased public awareness. Most of those initiatives are now underway and our goals are being met.

This past year, the Congress enacted important legislation, the Combat Methamphetamine Epidemic Act, which regulates the sale of the legal ingredients used to make methamphetamine; strengthens criminal penalties; authorizes resources for State and local governments; enhances international enforcement of methamphetamine trafficking; and enhances the regulation of methamphetamine by-products, among other things. The Department is committed to enforcing rigorously these new provisions of the law in order to address the domestic production of methamphetamine. As State laws regulating methamphetamine precursors went into effect, along with the new Federal law, we have seen a decline in domestic methamphetamine labs.

The Department remains concerned about the non-medical use of controlled substance prescription drugs, which continues to be the fastest rising category of drug abuse in recent years. At the same time, the Department recognizes that it is critical that individuals who are prescribed controlled substance prescription drugs for a legitimate medical purpose have access to these important drugs. Rogue pharmacies operating illicitly through Internet increasingly have become a source for the illegal supply of controlled substances. This issue is a priority for the Department, and we are aggressively applying the full range of enforcement tools available to us to address this increasing problem. The Department looks forward to working with the Congress on additional enforcement tools that may be appropriate.

### **Civil Rights**

I am pleased to report that the past year has been full of outstanding accomplishments in the Civil Rights Division, where we obtained record levels of enforcement. This year, the Division celebrates its 50<sup>th</sup> Anniversary. Since its inception in 1957, the Division has achieved a great deal, and we have much to be proud. Following are some of the Division's more notable recent accomplishments, beginning with two recent initiatives and the creation of a new unit within the Criminal Section.

#### *New Initiatives*

- On February 20, 2007, I announced *The First Freedom Project* and released a *Report on Enforcement of Laws Protecting Religious Freedom* to highlight and build upon the Division's role in enforcing the longstanding Federal laws that prohibit discrimination based on religion. This initiative is particularly important to combat religious and cultural intolerance in the aftermath of the terrorist attacks of September 11, 2001.
- In January 2007, I announced the Federal indictment charging James Seale for his role in the abduction and murders of two African-American teenagers, Henry Dee and Charles Moore, in Mississippi in 1964. This case is being prosecuted by the Civil

Rights Division and the local U.S. Attorney's Office. Shortly thereafter, I announced an FBI initiative to identify other unresolved civil rights era murders for possible prosecution to the extent permitted by the available evidence and the limits of Federal law – an effort in which the Civil Rights Division will play a key role.

- On January 31, 2007, I announced the creation of the new Human Trafficking Prosecution Unit within the Criminal Section of the Civil Rights Division. This new Unit is staffed by the Section's most seasoned human trafficking prosecutors, who will work with our partners in Federal and State law enforcement and non-government organizations to investigate and prosecute the most significant human trafficking crimes, such as multi-jurisdictional sex trafficking cases.

### *Enforcement*

In addition to these recent advances, the Division has done much to further the enforcement of our Federal civil rights laws. In the past year:

- the Criminal Section set new records in several areas by charging and convicting a record number of defendants – obtaining an overall conviction rate of 98 percent, the highest such figure in the history of the Criminal Section;
- the Criminal Section obtained a record number of convictions in the prosecution of human trafficking crimes, deplorable offenses of fear, force, and violence that disproportionately affect women and minority immigrants;
- the Employment Litigation Section filed as many lawsuits challenging a pattern or practice of discrimination as during the last three years of the previous Administration combined;
- the Housing and Civil Enforcement Section filed more cases alleging discrimination based on sex than in any year in its history;
- the Housing and Civil Enforcement Section conducted significantly more tests to ensure compliance with the Fair Housing Act, pursuant to Operation Home Sweet Home, and we are working to achieve an all-time high number of such tests this year; and
- the Disability Rights Section obtained the highest success rate to date in mediating complaints brought under the Americans with Disabilities Act – 82 percent.

Just a few weeks ago, the Civil Rights Division secured the second largest damage award ever obtained by the Justice Department in a Fair Housing Act case against a former landlord in the Dayton, Ohio, area for discriminating against African Americans and families with children.

In the past six years, we have ensured the integrity of law enforcement by more than tripling the number of agreements reached with police departments and convicting 50 percent more law enforcement officials for willful misconduct, such as the use of excessive force, as compared to the previous six years.

In the past six years, the Disability Rights Section reached more than 80 percent of the agreements obtained with State and local governments under Project Civic Access, a program that has made cities across the country more accessible and made lives better for more than 3 million Americans with disabilities.

### *Protecting Voting Rights*

Last year, the President and I strongly supported the Voting Rights Act Reauthorization and Amendments Act of 2006, appropriately named for three heroines of the Civil Rights movement, Fannie Lou Hamer, Rosa Parks, and Coretta Scott King. This legislation renewed for another 25 years certain provisions of the Act that had been set to expire, including Section 5, under which all voting changes in certain jurisdictions must be “precleared” prior to implementation, sections relating to Federal observers and examiners, and Sections 4 and 203, relating to bilingual requirements.

The Voting Rights Act has proven to be one of the most successful pieces of civil rights legislation ever enacted. However, as long as all citizens do not have equal access to the polls, our work is not finished. As President Bush said, “In four decades since the Voting Rights Act was first passed, we’ve made progress toward equality, yet the work for a more perfect union is never ending.”

At the White House signing ceremony for the 2006 reauthorization Act, President Bush said, “My administration will vigorously enforce the provisions of this law, and we will defend it in court.” The Department of Justice is committed to carrying out the President’s promise. In fact, the Civil Rights Division is currently vigorously defending the Act against a constitutional challenge in Federal court here in the District of Columbia.

A major component of the Division’s work to protect voting rights is its election monitoring program. Our election monitoring efforts are among the most effective means of ensuring that Federal voting rights are respected on election day.

In 2006, we sent more than 1,500 Federal personnel to monitor elections, doubling the number sent in 2000, a presidential election year. During the general election on November 7, 2006, the Division deployed a record number of monitors and observers to jurisdictions across the country for a mid-term election. In total, more than 800 Federal personnel monitored the polls in 69 political subdivisions in 22 States.

In addition to our presence at the polls, Department personnel here in Washington stood ready with numerous phone lines to handle calls from citizens with election complaints, as well as to monitor an Internet-based mechanism for reporting problems.

We had personnel at the call center who were fluent in Spanish and had the Division's language interpretation service to provide translators in other languages. The Department received more than 200 complaints through its phone and Internet-based system on election day. Many of these complaints were resolved on election day, and we are continuing to follow up on the rest.

Our commitment to protecting the right to vote is further demonstrated by our recent enforcement efforts. In 2006, the Voting Section filed 18 new lawsuits, which is more than twice the average number of lawsuits filed annually in the preceding 30 years. Moreover, during 2006, the Division filed the largest number of cases under the Uniformed and Overseas Citizens Absentee Voting Act, which ensures that overseas citizens and members of the military are able to participate in Federal elections. Finally, in 2006, the Voting Section processed the largest number of Section 5 submissions in its history, made two objections to submissions pursuant to Section 5, and filed its first Section 5 enforcement action since 1998.

Last year, we furthered our record of accomplishment during this Administration. During the past six years, the Civil Rights Division has litigated more cases on behalf of minority language voters than in all other years combined since 1975. Specifically, we have successfully litigated approximately 60 percent of all language minority cases in the history of the Voting Rights Act. Moreover, during the past six years, we have brought seven of the nine cases ever filed under Section 208 in the history of the Act, including the first case ever under the Voting Rights Act to protect the rights of Haitian Americans.

The work of the Civil Rights Division in recent years reflects the need for continued vigilance in the prosecution and enforcement of our Nation's civil rights laws. I am committed to building upon our accomplishments and continuing to create a record that reflects the profound significance of this right for all Americans.

In addition to its responsibility to protect access to the ballot box, the Department is responsible for combating Federal election crimes, such as election fraud and campaign financing offenses. In 2002, the Department launched the Ballot Access and Voting Integrity Initiative, and the investigation and prosecution of these crimes is a priority. With the assistance of the FBI, we have investigated over 300 election crime matters since the start of the Initiative, charged more than 180 individuals with election fraud or campaign financing offenses, and obtained over 130 convictions. At the present time, over 140 election crime investigations are pending throughout the country.

Every election crime prosecution and voting rights settlement puts would-be wrong-doers on notice: We will not tolerate attempts to corrupt the electoral process or the infringement of voting rights, period.

## **Border Security**

Immigration offenses are the largest category of cases the Department files each year. Nearly one third of the 60,000 new cases filed each year are for immigration offenses.

Nevertheless, because immigration enforcement is such a high priority for the Department, I am committed to doing more. In the latter half of 2006, the Department sent 30 additional prosecutors to the southwest border districts to help them handle a greater number of immigration cases, as well as border narcotics cases. Since 2000, the overall number of Assistant U.S. Attorneys working in the southwest border districts has increased by about 29 percent. Increasing the number of prosecutors permits these districts to take in more cases of all types. Despite these increases, our prosecutors on the border still handle some of the largest caseloads in the Nation. To further augment our resources, the President has proposed in his 2008 budget \$7.4 million for a Border and Immigration Prosecution Initiative to hire 55 additional prosecutors to handle more immigration cases. In addition, the budget requests \$7.5 million to hire 40 Deputy U.S. Marshals to manage the increased workload as a result of increased immigration enforcement along the Southwest Border. This funding is needed so that we can continue to increase prosecutions and convictions to further deter illegal border crossings and achieve control over the border.

In addition to enhancing enforcement resources, I am eager to work with this Committee on creating workable comprehensive immigration reform legislation. Such reform, as described by the President, would relieve pressure on our borders by creating a temporary worker program to fill jobs that Americans do not want, would enhance tools for employers to verify that they are hiring only citizens and authorized foreigners, and would increase penalties for the employment of unauthorized workers and for other immigration offenses. I look forward to working with the Committee on comprehensive immigration reform in the coming weeks and months.

## **Intellectual Property Enforcement**

Intellectual property (“IP”) is a core component of U.S. economic health. IP theft undermines U.S. economic security and stifles the creative output central to U.S. economic vitality. The Department has made combating IP theft a priority.

The Department of Justice is dedicating more resources than ever before to the protection of U.S. intellectual property rights, with a special emphasis on prosecuting health and safety cases. Last June, the Department’s Task Force on Intellectual Property announced that it had implemented all 31 of its recommendations to improve IP protection and enforcement in the United States and abroad, as described in detail in the *Progress Report of the Department of Justice’s Task Force on Intellectual Property* (June 2006). In the past two years, we have significantly expanded the Computer Hacking and Intellectual Property (CHIP) network of Federal prosecutors dedicated to the prosecution of high-tech and IP crime. The total number of CHIP prosecutors has increased to 230

(with at least one in each U.S. Attorney's Office), and the number of specialized CHIP Units has nearly doubled to 25 cities nationwide.

The Task Force's unprecedented efforts to improve criminal IP enforcement have yielded, among other successes, substantial increases in Federal investigations and prosecutions of IP violations. For instance, the number of defendants prosecuted for IP offenses rose 98 percent from 2004 to 2005, and the number convicted of IP offenses increased more than 50 percent from 2005 to 2006 (from 124 to 187). Of those convicted, the number receiving substantial sentences (25 months or more) increased even more sharply – from 17 to 39, an increase of 130 percent. Last year also saw substantial increases in the FBI's tally of the number of defendants arrested (from 104 to 144, up 40 percent) and charged (from 145 to 191, up 30 percent) in criminal IP cases.

In February 2007, the Department obtained one of the first-ever extraditions for an intellectual property offense, bringing the leader of one of the oldest and most notorious Internet software piracy groups to the United States from Australia to face criminal copyright charges. The group is estimated to have caused the illegal distribution of more than \$50 million worth of pirated software, movies, and music.

Recognizing that the effective protection of IP rights depends on strong international as well as domestic criminal enforcement regimes, the Department has placed special emphasis on improving its international outreach and capacity-building efforts. For instance, in 2006, the Department established the first-ever IP Law Enforcement Coordinator for Asia in Bangkok, Thailand. This IPLEC position is dedicated to advancing the Department's regional IP goals through training, outreach, and the coordination of investigations and operations against IP crime throughout the region. A second IPLEC for Eastern Europe has been established, and we will be sending a prosecutor to Sofia, Bulgaria, to fill that position this summer. Moreover, in 2006 alone, Criminal Division prosecutors provided training and technical assistance on IP enforcement to more than 3,300 foreign prosecutors, investigators, and judges from 107 countries.

### **State, Local, and Tribal Assistance**

In addition to our own law enforcement efforts, the Department supports State, local, and tribal law enforcement. The Department's FY 2008 budget contains more than \$1.2 billion in discretionary grant assistance to State, local, and tribal governments, and non-profit organizations, including funding for the creation of four new competitive grant programs: the Violent Crime Reduction Partnership; the Byrne Public Safety and Protection Program; the Child Safety and Juvenile Justice Program; and Violence Against Women Grants.

#### *Violent Crime Reduction Partnership*

The President's FY 2008 budget requests \$200 million for the Violent Crime Reduction Partnership Initiative, which is one of the ways we are responding to the recent

increase in violent crime. The funding will be used to help communities address high rates of violent crime by forming and developing effective multi-jurisdictional law enforcement partnerships between local, State, tribal, and Federal law enforcement agencies. Through these multi-jurisdictional partnerships, we will disrupt criminal gang, firearm, and drug activities, particularly those with a multi-jurisdictional dimension. Additionally, the Department will target this funding to respond to local crime surges it detects through its ongoing research.

#### *Byrne Public Safety and Protection Program*

In addition, the President's budget proposal includes \$350 million for a simplified and streamlined grant program that would combine the funding streams of several programs into the new Byrne Public Safety and Protection Program. This initiative consolidates some of the Department's most successful State and local law enforcement assistance programs into a single, flexible, competitive discretionary grant program. This new approach will help State, local, and tribal governments develop programs appropriate to the particular needs of their jurisdictions. Through the competitive grant process, we will continue to assist communities in addressing a number of high-priority concerns, such as (1) reducing violent crime at the local levels through the Project Safe Neighborhood initiative; (2) addressing the criminal justice issues surrounding substance abuse through drug courts, residential treatment for prison inmates, prescription drug monitoring programs, methamphetamine enforcement and lab cleanup, and cannabis eradication efforts; (3) promoting and enhancing law enforcement information sharing efforts through improved and more accurate criminal history records; (4) improving the capacity of State and local law enforcement and justice system personnel to make use of forensic evidence and reducing DNA evidence and analysis backlogs; (5) addressing domestic trafficking in persons; (6) improving and expanding prisoner re-entry initiatives; and (7) improving services to victims of crime to facilitate their participation in the legal process. In addition to State, local, and tribal governments, non-government entities will also be eligible for funding under this program.

#### *Child Safety and Juvenile Justice Program*

To further our commitment to protecting our Nation's most vulnerable citizens, our budget includes \$280 million for the new Child Safety and Juvenile Justice Program. The Child Safety and Juvenile Justice Program initiative consolidates existing juvenile justice and exploited children programs, such as Internet Crimes Against Children, into a single, flexible grant program. Through a competitive discretionary grant process, the Department will assist State and local governments in addressing multiple child and juvenile justice needs, such as, reducing incidents of child exploitation and abuse, including those facilitated by the use of computers and the Internet, improving juvenile justice outcomes, and addressing school safety needs. One of the most notable parts of this program is the AMBER Alert project, a proven success that has helped rescue hundreds of children nationwide. With 50 statewide AMBER plans now in place, we are meeting President Bush's goal of a National AMBER Alert network. I am committed to ensuring that we have a strong and seamless network in place to protect our children.

## *Violence Against Women Grants*

The FY 2008 budget includes \$370 million for one new, flexible, competitive grant program that would consolidate all Violence Against Women Act programs, creating a new structure that can address the multiple needs of victims of domestic violence, dating violence, sexual assault, and stalking. This grant program will help communities forge effective partnerships among Federal, State, local, and tribal governments and between the criminal justice system and victim advocates, and provide much-needed services to victims. The funding will continue to enable communities to address a range of issues in responding to violence against women, including the unique barriers faced by rural communities; the importance of training police, prosecutors, and court personnel; the critical need of victims for legal assistance, transitional housing, and other comprehensive services; the special needs of elderly victims and those with disabilities; and the high rate of violence against women in Indian country.

These four new grant programs will enable the Department to more effectively target Federal assistance to areas with the greatest need and allow for adjustments in funding priorities in response to changes and emerging trends in crime and justice issues.

### **Responsiveness to Congressional Requests**

Finally, Mr. Chairman, I would like to discuss with you the Department's efforts to improve its responsiveness to the Congress, especially questions for the record. You will no doubt recall that responses to the Committee's questions for the record from my previous hearing more than six months earlier were transmitted to the Committee just hours before I testified before you in January. That performance was not acceptable to me, as I know it was not acceptable to the Committee.

In 2005, Department witnesses testified at 94 congressional hearings. In 2006, that number rose to 111. So far this year, Department witnesses have testified at 30 congressional hearings, and we fully expect this brisk pace to continue in the coming months.

Even as the number of hearings involving Department witnesses has increased, the number of questions for the record submitted to the Department following those hearings has increased at a more dramatic pace. In 2004, the Department provided responses to nearly 500 questions submitted for the record following congressional hearings. In 2005, the Department provided responses to approximately 1,200 such questions. Last year, the total was nearly 1,400.

So far this year, the Department has already provided the Congress with responses to more than 1,200 questions for the record, with a large majority of those responses coming to this Committee. Several hundred additional responses have also already been submitted for interagency clearance prior to submission to the Congress. Most of the responses submitted this year are in response to questions received at hearings held in



2006, but a large number are from hearings held this year, including responses to a large majority of the 430 questions submitted to me following my appearance before the Committee hearing in January. So far this year, the Department has received nearly 1,000 new questions for the record, with roughly three-quarters of them submitted by this Committee.

I appreciate the importance of oversight and the need for the Department to be responsive to the Congress. I believe the Department has taken steps to respond to questions for the record in a more timely manner, and I intend to see to it that we continue to do so.

### **Conclusion**

Thank you for your dedication to all of the issues I have just outlined. I look forward to working with you in the coming months on these topics and the Department's other missions and priorities.